

JPP

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

WRIT PETITION NO. 10800 OF 2022

Sharad Maruti Awhale

... Petitioner

V/s.

The State of Maharashtra & Ors.

... Respondents

Mr. Jagdish G. Reddy for the Petitioner

Mr. V.S. Gokhale, 'B' Panel Counsel for the Respondent - STate

Ms. Sarika Shetye i/b. S.B. Shetye for the Respondent No.2

***CORAM : NITIN JAMDAR &
SHARMILA U. DESHMUKH, JJ.***

DATE : 13 SEPTEMBER 2022

P.C. :-

The Petitioner has sought the following relief by this
Petition :-

“ This Hon’ble Court be pleased to issue writ of certiorari or any other appropriate writ, order or direction in the like nature under Article 226 of the Constitution of India, thereby quashing and setting aside the impugned order dated 24.05.2022 passed by the District Collector, Pune, rejecting the Petitioner’s objections for division of Ward No.5 in respect of Gram Panchayat, Awhalwadi, Taluka Haveli, Dist. Pune.”

2. The elections are being held in respect of the election of the Gram Panchayat as per the provisions of the Maharashtra Village Panchayat Act, 1959 read with Bombay Village Panchayat (Number of Members, Divisions into Wards & Reservation of Seats) Rules, 1966. The Petitioner has the remedy of filing the necessary proceedings under the Act for challenging the election and therefore, as per the settled law, we are not inclined to interfere in the Writ Jurisdiction. The contentions of the parties are kept open, in case the Petitioner adopts the remedies under the Act.

SHARMILA U. DESHMUKH, J.

NITIN JAMDAR, J.

Digitally signed
by JYOTI
PRAKASH
PAWAR
Date:
2022.09.17
10:47:02 +0530

JYOTI
PRAKASH
PAWAR